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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/918,174

07/30/2001

Xiaobao X. Chen

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11/16/2005

Docket Administrator (Room 3J-219)

Lucent Technologies Inc.

101 Crawfords Corner Road

Holmdel, NJ 07733-3030

EXAMINER

PHAN, TRI H

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,174

Applicant(s)

CHEN, XIAOBAO X.

Examiner

Tri H. Phan

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-8 is/are rejected.
- 7) ☐ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment/Arguments

1. This Office Action is in response to the Response/Amendment filed on July 18th, 2005.
Claims 1-8 are now pending in the application.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

3. Claim 1 is objected to because of the following informalities:

In claim 1, line 5, the word "the" in front of the term "home network" should be correct to --- a ---.

In claim 1, line 7, the word "the" in front of the term "home agent address" should be correct to --- a ---.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Leung, Kent K.** (U.S.6,501,746; hereinafter refer as '**Leung**').

- In regard to claim 1, **Leung** discloses in Figs. 1-16B and in the respective portions of the specification about *“a method of operating a third generation mobile telecommunications system, in which packets are addressed to a mobile node which is a user node currently associated with a foreign network and is communicating with a correspondent node which is another user node (figure 1), comprising the steps of: setting up a home agent in the home network (figure 1, element 8 where, it is obvious that element 8 acts as a “correspondent node” because it is in communication with the mobile node and thus corresponding with the mobile node) and allocating a Care of Address for the mobile node (figure 2, element 208); and changing a packet header so that a source address is the home agent address, a destination address is the Care of Address (figure 2, elements 226 and 228 where the source address will be that of the HA because that is where the packet is coming from), and the header further includes a correspondent node identifier code and a mobile node identifier code (figure 2, element 226; wherein, the packet header’s extension including the home address ID, e.g. “correspondent node identifier code”, and MN-ID, e.g. “mobile node identifier code” as disclosed in figure 16B).*

- Regarding claim 2, **Leung** discloses, *a method according to Claim 1 in which the Care of Address is the address of the mobile node (col. 6, lines 61-64).*

- In regard to claim 3, Leung discloses, *a method according to Claim 1 in which the Care of Address is the address of a foreign agent in the foreign network* (col. 2, lines 40-42).

- Regarding claim 4, Leung discloses, *a method according to claim 1 in which the packet header is changed by the home agent* (figure 2, element 226).

- In regard to claim 7, Leung discloses, *a method according to claim 1 comprising the further steps of: the home agent retaining a record of the mobile node and mobile node identifier code* (figure 7, element 702, col. 10, lines 58-61); *and sending a copy of said record to the Care of Address at which said record is also stored* (figure 2, element 230 as read in col. 8, lines 5-7 and 19-20).

- Regarding claim 8, Leung discloses, *a method according to Claim 7 in which, when the packets arrive at the Care of Address, a foreign agent checks the stored record and replaces the mobile node identifier code in the header with a home address of the mobile node* (col. 16, lines 52-60).

Response to Amendment/Arguments

6. Applicant's arguments filed on July 18th, 2005 have been fully considered but they are not persuasive.

Applicant argues that **Leung** fails to disclose the “correspondent node identifier code or CNID”. Examiner respectfully disagrees. **Leung** does disclose about the packet header's

Art Unit: 2661

extension including the home address ID, e.g. “*correspondent node identifier code*”, and MN-ID, e.g. “*mobile node identifier code*” as disclosed in figure 16B; wherein, it is obvious that element 8 acts as a “*correspondent node*” because it is in communication with the mobile node and thus corresponding with the mobile node. Therefore, Examiner concludes that **Leung** teaches the arguable feature.

Claims 2-4 and 7-8 are rejected as in Part 5 above of this Office action and by virtue of their dependence from claim 1.

Allowable Subject Matter

7. Claims 5-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen et al. (U.S.6,842,456), **Lee et al.** (U.S.6,915,325), **Perkins, C.E.** (“Mobile IP”, Communications Magazine, IEEE Volume 35, Issue 5, May 1997 Page(s):84 – 99), **Perkins, C.E.** (“Mobile Networking through Mobile IP”, Internet Computing, IEEE Volume 2, Issue 1, Jan.-Feb. 1998 Page(s):58 – 69) and **Bhagwat, P. et al** (“Network Layer Mobility: An Architecture and Survey”, Personal Communications, IEEE [see also IEEE Wireless Communications] Volume 3, Issue 3, June 1996 Page(s):54 – 64) are all cited to show devices

and methods for improving mobile IP in the telecommunication architectures, which are considered pertinent to the claimed invention.

9. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan, whose telephone number is (571) 272-3074. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on (571) 272-3126.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tri H. Phan
November 14, 2005



BRIAN NGUYEN
PRIMARY EXAMINER